

**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number:

0412-M314

Case Title:

American Fruit and Produce Corp.

Reporting Office:

Miami, FL, Resident Office

Subject of Report:

EPA-CID response to a fire and an explosion at American Fruit and Produce Corp.,
Opa Locka, FL.

Activity Date:

April 3, 2017

Reporting Official and Date:

(b) (6), (b) (7)(C)

Resident Agent in Charge

21-APR-2017, Signed by: (b) (6), (b) (7)

Approving Official and Date:

(b) (6), (b) (7)(C)

Special Agent in Charge

24-APR-2017, Approved by: (b) (6), (b) (7)(C)

Acting Assistant Special Agent in Charge

SYNOPSIS

On April 3, 2017 at approximately 4:53 PM, (b) (6), (b) (7)(C) Resident Agent in Charge (RAC), for the United States Environmental Protection Agency, Criminal Investigation Division (EPA/CID), Miami Resident Office (MRO), received a call from (b) (6), (b) (7) EPA, Regional Enforcement Counsel (RCEC), and Special Assistant U.S. Attorney (SAUSA). RCEC/SAUSA (b) (6), (b) (7)(C) provided RAC (b) (6), (b) (7)(C) with information from a news brief related to a fire and an explosion at American Trucking located on N.W. 135th Street and NW 42nd Avenue in Miami.

DETAILS

On April 3, 2017 at approximately 4:53 PM, EPA/CID RAC (b) (6), (b) (7)(C) received a call from (b) (6), (b) (7) EPA, RCEC and SAUSA. RCEC/SAUSA (b) (6), (b) (7)(C) provided information on a news brief related to a fire and an explosion at American Trucking located on N.W. 135th Street and NW 42nd Avenue in Miami.

Agents determined that the fire was located at American Fruit and Produce Corp., located at 12805 N.W. 42nd Avenue, Opa Locka, Florida 33054. RAC (b) (6), (b) (7)(C) and EPA/CID Special Agent (SA) (b) (6), (b) (7)(C) responded to the scene.

At approximately 6:00 PM on April 3, 2017, RAC (b) (6), (b) (7)(C) and SA (b) (6), (b) (7)(C) arrived at the scene and met with Officer Kelly, ID number 0032, Opa Locka Police Department (Opa Locka PD), telephone number (954) 274-1166. Officer (b) (6), (b) (7)(C) stated that Opa Locka PD case number 17-04-03-022 was assigned to the incident.

At approximately 6:10 pm, the agents met with the following personnel from Miami-Dade Fire Rescue Department (MDFR). MDFR, Division Chief (b) (6), (b) (7)(C), FL TF1 Task Force Leader, Special Operations Division, cellular number (b) (6), (b) (7)(C). Chief (b) (6), (b) (7)(C) stated that he was acting as the Public Information Officer (PIO). Chief (b) (6), (b) (7)(C) directed the agents to MDFR Captain (b) (6), (b) (7)(C) and Captain (b) (6), (b) (7)(C), EMS, Station 33, Station address 17201 Point East Drive, Miami, FL, cellular number (786) 331-5302. Captain (b) (6), (b) (7)(C) stated that MDFR responded to the scene at 4:30 PM., and no injuries had been reported. Captain (b) (6), (b) (7)(C) added that Chief (b) (6), (b) (7)(C) was the (b) (6), (b) (7)(C) side Division Commander. Captain (b) (6), (b) (7)(C) directed the agents to Chief (b) (6), (b) (7)(C) MDFR Battalion 14 and Incident Commander, telephone number (b) (6), (b) (7)(C). The agents also met with Chief (b) (6), (b) (7)(C), MDFR.

After MDFR had the scene under control, the agents met with MDFR Lieutenant (LT) (b) (6), (b) (7)(C), Station 69, station telephone number (305) 513-7969. (b) (6), (b) (7)(C) was in Charge of the Haz-Mat operation at the scene. LT (b) (6), (b) (7)(C) stated that at the scene, MDFR located two tanks, approximately 500 gallons each, and possibly having contained diesel fuel. The tanks had caught on fire. There were also a large number of empty totes. Witnesses on the scene told MDFR that the totes were empty prior to the fire.

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**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number:

0412-M314

Markings on the totes indicated that they contained a lubricant which was not flammable and posed no reactive-health hazard. Some propane tanks were also located. Safety meter Readings were taken at the scene utilizing a Multi-Rae Pro, 4 gas unit. The readings were 0, at two (2) to three (3) feet away. There was a zero reading for LELs. Lt. (b) (6), (b) (7)(C) confirmed that MDRF had arrived at the scene at 4:30 PM.

At approximately 6:55 PM, the agents interviewed (b) (6), (b) (7)(C) and his son (b) (6), (b) (7)(C). The (b) (6), (b) (7)(C) stated that they owned American Fruit and Produce Corp., (AFPC) with an address of, 12805 N.W. 42nd Avenue, Opa Locka, FL 33054. They added that AFPC owned the property where the fire occurred. The property was leased to Oliva Delivery Corp., (ODC), and ODC owner (b) (6), (b) (7)(C) was in Naples during the time of the fire. (b) (6), (b) (7)(C) cellular number was, (b) (6), (b) (7)(C). ODC parked trucks, trailers and other vehicles on the property. AFPC leased the property to ODC for \$7,000 per month. They added that (b) (6), (b) (7)(C), one of the Security Guards on the property called (b) (6), (b) (7)(C) advising him of the fire at approximately 4:30 PM. (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) provided personal identifying information to the agents. The personal identifying information was inputted into the CCRS system.

The agents interviewed ODC Manager (b) (6), (b) (7)(C), office telephone numbers (b) (6), (b) (7)(C) 4 (b) (6), (b) (7)(C), ext. 304 and personal cellular number (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) had worked with ODC for eight years. (b) (6), (b) (7)(C) stated that there were several diesel tanks stored on the property that were used for fuel for the trucks. There was also used oil kept on the property from oil changes conducted on the trucks. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was one of the Security Guards working for ODC. (b) (6), (b) (7)(C) was on the property when the fire occurred. (b) (6), (b) (7)(C) cellular number was (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) added that mechanic (b) (6), (b) (7)(C) was on the property when the fire started. Both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) allowed the agents to review their Florida Driver's licenses. Information from the driver's licenses was inputted into CCRS system.

(b) (6), (b) (7)(C) stated that ODC owner (b) (6), (b) (7)(C) was the only person able to review footage from the security cameras, via his cellular telephone. (b) (6), (b) (7)(C) directed ATF SA (b) (6), (b) (7)(C) and RAC (b) (6), (b) (7)(C) to a guard shack where the security monitor was kept. An inspection of the monitor reflected that it was not connected to the computer and that it was not operational. (b) (6), (b) (7)(C) stated that the company Birch was the internet provided for ODC. The security system had been installed by (b) (6), (b) (7)(C) (last name unknown).

The EPA/CID agents met with (b) (6), (b) (7)(C) Fire Investigator I for MDRF, cellular number (b) (6), (b) (7)(C). Investigator (b) (6), (b) (7)(C) conducted a number of interviews with ATF, SA (b) (6), (b) (7)(C) office telephone number (b) (6), (b) (7)(C) and a second ATF agent. Fire Investigator (b) (6), (b) (7)(C) stated that it appeared that the fork lift stationed by a tank had been the point of the origin of the fire. There was also waste oil present.

The agents interviewed (b) (6), (b) (7)(C) from LED Transport, cellular number (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that LED Transport stored vehicles on the property and that the company delivered vehicles to auctions. Her husband (b) (6), (b) (7)(C) was in Tampa picking up vehicles. LED Transport did not have security cameras on the property. Personal identifiers were obtained for (b) (6), (b) (7)(C). The information was inputted into the CCRS system.

The agents interviewed (b) (6), (b) (7)(C) of Eagle Carries of South Florida, LLC. (b) (6), (b) (7)(C) was a personal friend (b) (6), (b) (7)(C) from LED Transport. (b) (6), (b) (7)(C) stated that his company had no involvement in the fire. Personal identifiers were obtained for (b) (6), (b) (7)(C). The information was inputted into CCRS.

(b) (6), (b) (7)(C) stated that an individual at Herbie Body Shop heard the explosion from the fence line. The telephone number of Herbie Body Shop was (786) 478-5161.

**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number:

0412-M314

The agents interviewed (b) (6), (b) (7)(C) from South Gold Corp., address 12805 NW 42nd Avenue, Opa Locka, FL. (b) (6), (b) (7) stated that his company had a total loss of 8 containers and one car. Another car was partially burned. Personal identifiers were obtained for (b) (6), (b) (7). The personal identifiers were inputted into CCRS.

The agents met with (b) (6), (b) (7)(b) (6), (b) (7)(C) President of Export and Cruise Ships, President of Business Development, Executive Director (American Fruit and Produce Corp.) (b) (6), (b) (7), cellular number is (b) (6), (b) (7), office number (b) (6), (b) (7)(C).

RAC (b) (6), (b) (7)(C) spoke to (b) (6), (b) (7)(b) (6), (b) (7)(C) from Miami Dade County, DERM, Emergency Response. (b) (6), (b) (7)(C) provided contact numbers for three environmental clean-up companies. (b) (6), (b) (7)(C) requested that RAC (b) (6), (b) (7)(C) provide the information to (b) (6), (b) (7)(C) from American Fruit and Produce. The information was provided.

Photographs of the scene were taken by SA (b) (6), (b) (7)(C) utilizing an iPhone 6s. See attached.

On April 4, 2017, (b) (6), (b) (7)(C) MDFR, Battalion 14 and Incident Commander provided via a text to RAC (b) (6), (b) (7)(C) a video of the fire and the explosion upon MDFR responding to the scene on April 3, 2017. See attached.

Copies of business cards obtained during the response were scanned. See attached.

On April 4, 2017, at 9:52 AM, RAC (b) (6), (b) (7)(C) submitted an e-mail to (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), Florida Department of Environmental Protection, Office of Emergency Response (DEP/OEM). The e-mail contained a list of contacts for individuals and the companies identified during the April 3, 2017 response by EPA/CID Agents. See attached.

On April 5, 2017, RAC (b) (6), (b) (7)(C) conducted a search via Sunbiz.org, Florida Division of Corporations, for the following companies; American Fruit and Produce Corp.; Oliva Delivery Corp.; L.E.D. Transport Corp.; South Gold Corp., and Eagle Carriers of South Florida, LLC. See attached search results.

ATTACHMENT

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**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number:

0412-M314

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**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

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Criminal Investigation Division
Investigative Activity Report**

Case Number:

0412-M314

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2017-04-03-VIDEO-000000001.mp4.mov

2017-04-03.Response to a fire at American Fruit.Business cards for personnel.

2017-04-05.American Fruit and Produce Corp.FL Division of Corporations records..

2017-04-05.Oliva Delivery Corp.FL Division of Corporations records.

2017-04-05.L.E.D. Transport, Corp.FL Division of Corporations records.

2017-04-05.South Gold Corp.FL Division of Corporations records.

2017-04-05.Eagle Carriers of South Florida, LLC.FL Division of Corporations records.

2017-04-04.E-mail from RAC (b) (6), (b) (7)(C) to (b) (6), (b) (7)(C).FL DEP-Office of Emergency Response.

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